

**SUPREME COURT MINUTES
MONDAY, MAY 4, 2009
SAN FRANCISCO, CALIFORNIA**

S099231**BOLDEN (CLIFFORD
STANLEY) ON H.C.**

Opinion filed: Order to show cause discharged

Opinion by Kennard, J

--joined by George C. J., Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S145087**SENTRY SELECT
INSURANCE COMPANY v.
FIDELITY & GUARANTY
INSURANCE COMPANY**

Opinion filed

Under the conclusive presumption of former subdivision (b), Fidelity's policy of insurance issued JTI for the semi-trailers leased to Justice that were involved in the accident was excess to the John Deere/Sentry policy of insurance issued to Justice naming JTI as an additional insured.

Opinion by Baxter, J.

--joined by George, C. J.; Kennard, Werdegar, Chin, Moreno, and Corrigan, JJ.

S171732

G041318 Fourth Appellate District, Div. 3

**CAVALIERS HOLDINGS
COMPANY LLC. v.
WORKERS'
COMPENSATION APPEALS
BOARD/(SHELTON)**

Extension of time granted

On application of Respondent Ohio Bureau of Workers' Compensation and good cause appearing, it is ordered that the time to serve and file the Answer to the petition for review is extended to May 9, 2009.

S155242

B182880 Second Appellate District, Div. 8

**CHRISTOFF (RUSSELL) v.
NESTLÉ USA, INC.**

Request for judicial notice granted

Appellant's request for judicial notice, filed February 19, 2008, is granted.

S172575

H030734 Sixth Appellate District

**PEOPLE v. KENNEDY
(THOMAS BLAKE)**

Order filed

The application of appellant for permission to file a petition for review in excess of the 8,400 word limitation is hereby denied.

S144330**FEGEN ON DISCIPLINE**

Probation revoked

The court orders that the probation of PAUL F. FEGEN, State Bar Number 31680, is revoked. The court further orders that PAUL F. FEGEN is suspended from the practice of law for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. PAUL F. FEGEN is suspended from the practice of law for a minimum of the first six months of his probation (with credit given for the period of involuntary inactive enrollment which commenced on October 6, 2008), and he will remain suspended until the following requirements are satisfied:
 - i. He makes restitution to Judy Wohl in the amount of \$4,500 plus 10 percent interest per annum from January 27, 1997 (or reimburses the Client Security Fund to the extent of any payment from the fund to Judy Wohl, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding conditions, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).);
2. PAUL F. FEGEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order filed on October 3, 2008; and
3. At the expiration of the period of probation, if PAUL F. FEGEN has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

PAUL F. FEGEN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S149864**TAKASUGI ON DISCIPLINE**

Probation revoked

The court orders that the probation of RUSSELL H. TAKASUGI, State Bar Number 118792, is revoked. The court further orders that RUSSELL H. TAKASUGI is suspended from the practice of law for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RUSSELL H. TAKASUGI is suspended from the practice of law for a minimum of the first 30 days of his probation, and he will remain suspended until the following requirements are satisfied:
 - i. He completes the one remaining hour of live instruction of continuing legal education in the area of law office management and/or attorney client relations as previously ordered and furnishes proof of his completion to the State Bar's Office of Probation in Los Angeles;
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding conditions, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).);
2. RUSSELL H. TAKASUGI must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 20, 2008, and the modification order filed on December 18, 2008; and
3. At the expiration of the period of probation, if RUSSELL H. TAKASUGI has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

If RUSSELL H. TAKASUGI remains suspended for ninety days or more, he must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S159814**WILSON ON DISCIPLINE**

Probation revoked

The court orders that the probation of GLENN R. WILSON, State Bar Number 183727, is revoked. The court further orders that GLENN R. WILSON is suspended from the practice of law for one year, execution of that period of suspension is stayed, and he is placed on probation for eighteen months, subject to the following conditions:

1. GLENN R. WILSON is suspended from the practice of law for the first 30 days of his probation.

2. GLENN R. WILSON must comply with the other conditions of probation as previously imposed in case number S159814 (S.B.C. No. 06-O-14524) as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 8, 2008.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 865)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

**SUPREME COURT MINUTES
MONDAY, MAY 4, 2009
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Monday, May 4, 2009, at 1:30 p.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S157820

The People, Plaintiff and Appellant,
v.
Dale Traylor, Defendant and Respondent.

Cause called. David M. Walters, Office of the Nevada County District Attorney, argued for Appellant.

Tracey W. Lopez, Office of the Los Angeles County District Attorney, argued for Amicus Curiae Office of the Los Angeles County District Attorney.

Daniel M. Geffner, Office of the Nevada County Public Defender, argued for Respondent.

Mr. Walters replied.
Cause submitted.

S064415

The People, Respondent,
v.
Michael Lamar Bramit, Appellant.

Cause called. Peter R. Silten, Office of the State Public Defender Appointed counsel, argued for Appellant.

Gil P. Gonzalez, Office of the Attorney General, argued for Respondent.

Mr. Silten replied.
Cause submitted.

S042323

The People, Respondent,
v.
Shaun Kareem Burney, Appellant.

Cause called. Geraldine S. Russell, Court-appointed Counsel, argued for Appellant.
Annie Featherman Fraser, Office of the Attorney General, argued for Respondent.

Ms. Russell replied.
Cause submitted.

Court recessed until May 5, 2009, at 9:00 a.m.